

JDL:TJS
F.#2013R00381

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ APR 17 2013 ★
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

BEBARS BASLAN and
KRISTEN HENRY,

DEARIE, J.

Defendants.

I N D I C T M E N T

CR 13-220
T. 18, U.S.C., §§ 2241(c),
2251(a), 2251(e),
2252(a)(4)(B), 2252(b)(2),
2253, 2422(b), 2 and
3551 et seq.; T. 21,
U.S.C., § 853(p))

- - - - -X

THE GRAND JURY CHARGES:

MANN. M.J.

COUNT ONE

(Travel With Intent to Commit Aggravated Sexual Abuse
of a Minor Less Than 12 Years of Age)

1. On or about March 19, 2013, within the Eastern District of New York, the District of New Jersey and elsewhere, the defendants BEBARS BASLAN and KRISTEN HENRY crossed a state line with intent to engage in a sexual act, to wit: contact between the mouth and the vulva, contact between the mouth and the penis and the intentional touching, not through the clothing, of the genitalia of another person who had not attained the age of 12 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person, with another person who had not attained the age of 12 years, to wit:

John Doe 1 and Jane Doe 1, individuals whose identities are known to the Grand Jury.

(Title 18, United States Code, Sections 2241(c), 2 and 3551 et seq.)

COUNT TWO

(Conspiracy to Sexually Exploit a Child)

2. On or about and between February 1, 2013 and March 19, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants BEBARS BASLAN and KRISTEN HENRY did knowingly and intentionally conspire to employ, use, persuade, induce, entice and coerce a minor, to wit: John Doe 1, Jane Doe 1 and John Doe 2, individuals whose identities are known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing one or more visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which visual depictions were to be produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, by any means, to wit: one or more digital cameras, contrary to Title 18, United States Code, Section 2251(a).

(Title 18, United States Code, Sections 2251(e) and 3551 et seq.)

COUNT THREE

(Attempted Sexual Exploitation of a Child)

3. On or about and between February 1, 2013 and March 19, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants BEBARS BASLAN and KRISTEN HENRY did knowingly and intentionally attempt to employ, use, persuade, induce, entice and coerce a minor, to wit: John Doe 1, John Doe 2 and Jane Doe 1, to engage in sexually explicit conduct for the purpose of producing one or more visual depictions of such conduct knowing and having reason to know that such visual depictions would be transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which visual depictions were to be produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, by any means, to wit: one or more digital cameras.

(Title 18, United States Code, Sections 2251(a), 2251(e), 2 and 3551 et seq.)

COUNT FOUR

(Attempted Coercion and Enticement of a Minor to Engage in Illegal Sexual Activity)

4. On or about and between February 1, 2013 and March 19, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants BEBARS BASLAN and KRISTEN HENRY using facilities and means of interstate and foreign commerce, to wit: a telephone, did knowingly and

intentionally attempt to persuade, induce, entice and coerce one or more individuals who had not attained the age of 18 years, to wit: John Doe 1, John Doe 2 and Jane Doe 1, to engage in sexual activity for which a person can be charged with a criminal offense, to wit: criminal sex act in the first degree, in violation of Section 130.50 of the New York Penal Law and sexual assault, in violation of Section 2C:14-2(b) of the New Jersey Code of Criminal Justice.

(Title 18, United States Code, Sections 2422(b), 2 and 3551 et seq.)

COUNT FIVE
(Possession of Child Pornography)

5. On or about and between February 1, 2013 and March 19, 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BEBARS BASLAN did knowingly and intentionally possess matter containing one or more visual depictions, which visual depictions had been mailed, and shipped and transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging

in sexually explicit conduct and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

6. The United States hereby gives notice to the defendants charged in Counts One through Five that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253, of (a) any visual depiction described in Sections 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18, United States Code, or any book, magazine, periodical, film, videotape, or other matter produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses of conviction; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses of conviction or any property traceable to such property.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

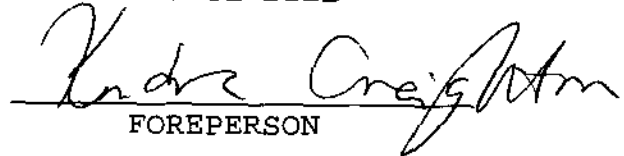
d. has been substantially diminished in value; or

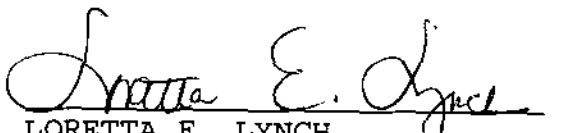
e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#2013R00381
FORM DBD-34
JUN. 85

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

Bebars Baslan and Kristen Henry,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 2241(c), 2251(a), 2251(e), 2252(a)(4)(B), 2252(b)(2),
2253, 2422(b), 2 and 3551 et seq.; T. 21, U.S.C. § 853(p))

A true bill.

Kendra Craghton
Foreman

Filed in open court this _____ *day.*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Tyler Smith, Assistant U.S. Attorney (718-254-6186)